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15 December 1985

Readers on spies: Hang 'em!

LAST week in this space I advocated the death penalty for spies who furnish another country with "vital secrets that imperil this nation's security." Judging by response from readers, the same thought must have been on many of your minds too.

Only one letter writer disagreed with me outright. Another — anonymous, of course — called me a racist anti-Semite for referring to the recently revealed Israel espionage against the United States but not to other spy scandals. Other letters posed a range of thoughtful questions. The rest said, in effect, "You're right."

Here's a sampler of those responses.

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"No doubt the vast majority of your readers will agree with your conclusion of what to do about traitors," wrote Martin Ulan of Lauderdale Lakes. "But is your definition of treason correct?"

"You wrote, 'Of all the forms of betrayal, the deliberate betrayal of one's country is the most reprehensible.' OK, but what about the German army officers who attempted to assassinate Hitler during [World War II]? Would you hang them? Or a Soviet soldier who defects to the Afghan rebels, perhaps bringing a plan of battle? Would you take his life? Or a Jane Fonda who goes to Hanoi to show her opposition to her country's war in Vietnam?"

"Is it always 'my country right or wrong'? Is one a terrorist — or a freedom fighter?"

Bernard Adelman of Boca Raton writes that his heart says yes to my suggestion, but his head says no. "The death penalty does not deter traitors," he reasons. "The electrocution of the Rosenbergs 30-plus years ago had no effect on, for example, the Walkers."

"Suppose the Soviets catch, try, convict, and electrocute a Russian spy in our service. Are we to be morally indifferent? Do we approve of their killing because they have argued that such treasonous behavior could be responsible for untold deaths in the future? Do we execute sentences based

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on probable or possible harm?

"If we are to sentence to death spies whose acts' results we can't know with certainty," Mr. Adelman asks, "what do we do with people like Philip Agee, the ex-CIA agent whose disclosure of CIA names resulted in the murder of some agents? And do we try as accessories all those in the book world who had read the galleys and didn't delete the names of CIA agents, even though the bookmen should have had the brains to foresee the consequences of disclosure?"

For an opposing view of the deterrence question, I'll let W. Donald Stewart of Miami Beach reply to Mr. Adelman. Mr. Stewart says that he spent 14 years chasing spies for the FBI, followed by 10 years (ending in 1975) at the Pentagon.

"The death penalty is a decided threat which will lead to the cooperation of a trapped spy," Mr. Stewart opines. "Many years ago, shortly after Ethel and Julius Rosenberg were executed — she first because the thought was that he'd crack after she was gone — when a U.S. spy was interviewed, the opening line of the interviewers might well be, 'Do you want to cooperate or take the Rosenberg route?' With that fresh potential, cooperation was often forthcoming. . . ."

In his eight-page letter, Mr. Stewart also worries about the vastly differing qualifications required by the myriad Government agencies that handle classified material. FBI agents are closely trained and supervised, he notes, and all must have at least a bachelor's degree. In contrast, "three years prior to leaving the Pentagon, I was the inspector general of the Defense Investigative Service," which conducted background checks required for Defense Depart-

ment top-secret clearances.

"Its investigators ranged from corporal to major, and, for the most part, when the serviceman completed his enlistment, he and what little experience he accrued left the military service. Also, because of the large volume of work, many of the less-educated military personnel 'ghost wrote' part of their reports." Instead of interviewing the clearance applicant's neighbors, for example, Mr. Stewart says that it wasn't uncommon for investigators to copy names from mailboxes and fabricate interviews with them. That can put a sizable hole in any spy chaser's net.

From Ken Leasing of Opa-locka comes this: "I have disagreed with you frequently on a number of other matters. However, it is hard to see how any right-thinking American could disagree on this one. This country has gotten far too soft."

Miami lawyer J.B. Spence echoes that thought. "I served in the military for six years, part-time on submarines and four years overseas," he writes. "Anyone who would spy on our military should be shot in public at noon several times."

Although his terse letter doesn't say so outright, I gather that Harry E. Beller, M.D., of Sebastian doesn't agree. He writes: "To the spy in the fold, now out of the cold, a question to your question: 'Like the Rosenbergs?'"

Dan Schmidt III of Jensen Beach terms my proposal "right on — right on the noses of those idiot judges and lawyers who deliver these stupid and disgraceful sentences for those who sell our country's secrets and technologies. These individuals should be hanged or shot — no prison, no plea bargains, no smart-lawyer gobbledygook. . . ."

"Send copies [of the column] to your congressmen," Mr. Schmidt concludes. "Maybe they'll take time out from their PACs to read it."

"Probably I would be considered barbaric," muses William V. Sherman of Miami, "since I feel that public hanging would be suitable. As a GI during some of the darkest days of World War II, I appreciate this great land."

"Yes, Jim, hang them high."

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MIAMI HERALD
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Executive Imposition

THE QUESTION is not whether this nation or any nation has the right to protect its secrets from spies or careless bureaucrats. That is a given. The question, rather, is whether the Reagan Administration, in the pursuit of this goal, should impose mandatory polygraph tests on up to 10,000 Government employees who have access to highly sensitive security material.

This is not the first time that the Administration has proposed enlarging the pool of Government officials required to take these tests. Already the Central Intelligence Agency, the National Security Agency, and the Pentagon require some employees in certain areas to take polygraph tests.

One problem with the current proposal is its origin. The last time the Administration proposed forcing Government officials to take polygraph tests was during the 1984 Presidential campaign. Its concern then was news leaks to the press. The current concern is the rash of espionage incidents — about three dozen — unearthed since Mr. Reagan took office in 1981. The President signed the polygraph order secretly, and the order itself remains secret.

White House spokesman Larry Speakes says that the order is limited to national-security matters. Yet what personal protection do Government officials, or the public, have that this new directive will be used only to weed out spies? What assurances are there that an overzealous official will not use his new powers to try to deter his subordinates from talking to the press?

Another serious problem is the unreliability of polygraph tests. Some experts say that polygraph tests are more effective at intimidation than at detecting people who actually lie. Under the best of circumstances, a polygraph test is only as good as the examiner who administers it. And the number of certifiably competent polygraph examiners is limited.

Polygraph Testing Of Federal Workers

Finally, the biggest problem is one of privacy and individual rights. All told, some four million people, defense-industry employees as well as Government workers, have some access to classified information. Once the polygraphing starts on the scale that this order mandates, where does it stop? And with whom?

The Administration backed off of its last polygraph proposal because of opposition in Congress and Secretary of State George P. Shultz's reported threat to resign if it were implemented. The polygraph is no less invasive of individual privacy, and no more reliable in its results, now than it was then. The President should recognize that and rescind this onerous executive order before its injurious effects go any further.

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MIAMI HERALD
4 December 1985

Stopping the Spies

A RASH of spy incidents stirs public concern, and for good reason: If even one well-placed spy can harm the nation's interests, then the potential for harm in a whole series of such cases is truly disturbing.

The flurry of spying incidents has rekindled interest in various proposed remedies. Several are sure to spark debate in a humane and open democracy. Proposals have surfaced, for instance, to impose prior restraints on certain publications, to widen polygraph testing of Government employees, to increase surveillance of American radicals, and to restore the death penalty for espionage.

In this debate, the calm counsel of FBI Director William Webster is especially valuable. Speaking from experience in the spy-vs.-spy game, he offers two suggestions of particular merit.

First, as Mr. Webster told a Senate committee, the United States ought to tighten restrictions on the travel of Soviet-bloc diplomats in this country. Mr. Webster said that 1,000 or so of the 2,500 envoys from Communist countries engage in espionage and that they're showing "increased aggressiveness" of late. There's no reason to let them roam freely; their countries don't let Americans travel freely there.

Second, in a recent interview Mr. Webster said that far too many Government documents are classified or overclassified. Moreover, far too many people have access to them. The result, he said, is that persons who routinely handle such documents become "numbed" and grow careless.

This insight is not new. Congressional committees have plunged into the morass of Government secrecy and concluded the same thing. They reason that if less material were classified, its custodians could protect it better.

Yet in seeking remedies for overclassification, Congress has been frustrated by the sheer size of the problem. Restricting the movement of Soviet-bloc diplomats is child's play in comparison with battling the blizzard of Government paperwork. Moreover, the "Top Secret" stamps are classifying new material faster than overseers possibly can monitor.

If Congress is to heed Mr. Webster's sensible suggestion, then, it must consider bold *systemic* changes that'll greatly reduce the amount of classified material. It's a logical approach to theft prevention — like keeping surplus cheese out of the vaults at Fort Knox so that the sentries are free to guard the gold.

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MIAMI HERALD
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A Bow to Reality

IT'S FUNNY, but you don't hear anyone talking about who "won" when President Reagan and Chinese President Li Xiannian went *mano a mano* in their half-hour White House parley. No one worried that Mr. Li might take advantage of the convalescing Mr. Reagan's weakened condition. And though some pundits second-guessed the wisdom of Mr. Reagan's decision to further Chinese purchases of U.S. nuclear technology, their reservations didn't approximate the shrieks sure to greet any similar pact with the Soviet Union.

How times change. Just 12 years ago, U.S. leaders were loath to acknowledge the existence of the world's most populous nation. In many Americans' eyes, the Chinese were scarcely accredited members of the human race, and Mao Tse-Tung's anti-West hostility seemed far more implacable than that of Leonid Brezhnev, his Soviet counterpart.

The sea change in U.S.-Chinese relations is neither miraculous nor mysterious. It marks the simple triumph of understanding over ignorance. It's a pragmatic recognition that even nations separated by serious disagreements enjoy some mutual interests.

In recent years, Chinese leader Deng Xiaoping has weaned his nation steadily away from Marxist-Leninist dogma while initiating a series of capitalist-inspired economic moves. Yet Mr. Deng's China remains among the world's

China Summit

most totalitarian societies, and its continued designs on Taiwan and Southeast Asia are at odds with U.S. aspirations.

Top-level meetings between the two governments are unlikely to hasten fundamental changes in the nature of either. But regular parleys do provide opportunities to promote mutually beneficial efforts in trade, technological development, and nuclear nonproliferation. They also help avert the miscalculations that may arise when leaders seeking to discern each other's intentions rely exclusively on terse diplomatic notes and vague intelligence estimates.

Sadly, neither the Administration nor the public seem inclined to adopt such common sense about the approaching summit meeting between President Reagan and Soviet Leader Mikhail Gorbachev. Already fraught with unrealistic expectations, those talks seem destined to be branded a failure if they bequeath anything less dramatic than a new nuclear-arms agreement.

It need not be thus. The low-profile U.S.-Chinese meeting provides ample evidence that ideological adversaries have little to lose and much to gain by talking regularly. With a little less hoopla and a little more realism, U.S.-Soviet relations also might escape their zero-sum prison.

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Heed Chamorro

ANY DISCUSSION of the legality — or illegality — of American aid to the Nicaraguan rebels is confusing because what used to be legal has been illegal for almost a year but is likely to be legal again soon. Even in this context, however, there is no excuse for the Reagan Administration's helping to organize private American military and humanitarian assistance to the rebels. Congress made it plain in 1984 that it did not want the United States providing any type of assistance to the Nicaraguan insurgents.

Both the House and the Senate have enacted legislation permitting resumption of humanitarian aid to the guerrillas now. Even so, the 1984 prohibition is still the law. That prohibition will remain in effect until a congressional conference committee iron out differences in the two bills and the President signs the compromise measure.

The disclosure by former rebel leader Edgar Chamorro that Administration officials involved themselves directly in coordinating and encouraging the private aid is most disturbing. The pattern is a recurring theme in the struggle between the President and Congress on who has the last word on what can, or cannot, be done in Nicaragua.

Even in its early years, when the

On Nicaragua Aid

Administration legally could provide direct and indirect assistance to the insurgents. Administration officials flouted the limits imposed by Congress. In fact, one of the reasons Congress cut off the aid was the decision by the Central Intelligence Agency to mine Nicaraguan ports and to provide the rebels manuals on how to "neutralize" Sandinista officials.

The issue takes on new importance now that both the houses of Congress have approved nonmilitary aid to the rebels. If Administration officials circumvented the will of Congress when all assistance was prohibited, can anybody trust them to maintain the distinction between military and nonmilitary aid?

Congress should carefully review Mr. Chamorro's allegations, detail the exact nature of the Administration's violations, and bring charges against any officials implicated. The Administration must be shown that it cannot violate Congress's mandates with impunity. Otherwise, its past transgressions suggest that those violations will continue no matter what the law says.

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CIA as Benefactor

RARELY DO Americans get a favorable peek at the Central Intelligence Agency (CIA). When the CIA does its job right, it is supposed to go unnoticed. When things go wrong, the resulting uproar eclipses public appreciation for the agency's dual roles of intelligence gathering and covert activities.

As the veil lifted over drought-stricken Africa this weekend, however, the CIA emerged in the unaccustomed role of humanitarian. About 800 Ethiopian Jews, stranded in Sudanese refugee camps and hostage to Arab-Israeli enmity, were airlifted by U.S. planes to Israel.

Secrecy was essential because Sudanese President Gaafar al-Nimeiry's nation maintains an official state of war with Israel. His government had stopped

an earlier Israeli rescue operation that saved several thousands of Ethiopian Jews. They had made their way north into the Sudan, fleeing starvation in their parched homeland. The CIA had to fake European destinations for the refugees in order to achieve their departure.

This operation demonstrated American principles at their best. Reportedly negotiated directly by Vice President George Bush, it applied the considerable clout of U.S. economic aid to the Sudan to press that government into accepting the subterfuge. Then it used American resources actually to fly the 800 Ethiopian Jews to refuge in Israel, the only nation in the region that welcomes them.

Americans should make no secret of their justifiable pride in this successful, albeit surreptitious, humanitarian effort.

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Get Smart, CIA

WITH a sordid twist here and a surreal turn there, the tale of the CIA's primer on terrorism continues to unravel. CIA Director William Casey and his subordinates have been at pains to explain away the infamous manual on guerilla warfare, prepared for the edification of U.S.-backed rebels in Nicaragua, ever since its existence became public. Their performance so far recalls the old *Get Smart!* routine in which Agent 86, asked to account for his latest miscue, tests a series of implausible excuses ("Would you believe...?") before offering a credible explanation.

First came the denials, then the protests that the manual's prescription for "neutralizing" Nicaraguan officials had been misinterpreted, then the disingenuous apologies for the excesses of overzealous underlings. Would you believe Mr. Casey didn't know a thing about it? The CIA's congressional overseers remained skeptical, as well they should.

Now, in secret testimony before the House Select Committee on Intelligence, CIA officials have offered yet another version of the guerrilla-warfare manual's origins. Acknowledging that the contras have committed atrocities against hundreds of Nicaraguan civilians, the agency now insists that the manual was intended to moderate the rebels' behavior.

In recent weeks senior CIA officials, rebel leaders, and private organizations that monitor human-rights abuses in Nicaragua have described rebel-instigated abuses as horrific as those committed

at My Lai. Their reports have included accounts about groups of civilians, including women and children, who were raped, burned, dismembered, blinded, or beheaded. One rebel official testified that the Nicaraguan Democratic Force, the largest rebel group, has documented "several hundred cases" of rebel atrocities against civilians.

Most observers perceive all this as another CIA public-relations disaster and a powerful argument against renewing American aid to the rebels. To the CIA's twisted way of thinking, however, it's just another demonstration of the need for continued U.S. support. Think the guerrilla-warfare manual's prescription for assassinating elected officials, black-mailing ordinary citizens, and arranging the "martyrdom" of fellow rebels is rough stuff? the agency's argument runs. Well, wait and see what the rebels do when we're not there to moderate their behavior!

What bilge! It may well be, as one rebel leader candidly has acknowledged, that "it is very difficult to control an irregular army," and the Sandinistas may well have committed acts equally as heinous. But it's insane to imagine that either side may hope to win the hearts and minds of the Nicaraguan people through a campaign of terror, however well-disciplined.

The stabilization of Nicaragua can be achieved only in negotiations. The United States ought to expend more of its energies on that front and less on trying to refine murderous thugs into disciplined terrorists.

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Restrain Casey

OF COURSE the CIA's manual instructing guerrillas how to assassinate Nicaraguan officials violated Congress's ban against U.S. attempts to overthrow the Sandinista regime. That conclusion, now reached officially by the House Intelligence Committee, is only slightly gratifying, since it only states the obvious.

The committee concludes that the CIA murder manual was the product of "negligence" by senior CIA officials, who should have prevented it but were unaware of it. CIA Director William Casey acknowledged as much. Having concluded the obvious, the committee now says that the matter is over.

It is not over, not by a long shot. As far as this murder-manual imbroglio goes, Mr. Casey should be held accountable; it is yet another example of his negligence. Last spring Mr. Casey neglected to inform the Senate, as law requires, that his agents were mining Nicaragua's harbor. He got away with that too.

This murder-manual scandal is loathesome, but attention should not focus excessively upon it. To focus on the manual is to focus on the flea; attention instead should dwell upon the dog — the CIA's "covert" guerilla war against Nicaragua.

On the same day that Congress troubled itself with its dismissive report about the murder manual, Mr. Casey's guerrillas ambushed a truck in Nicaragua and killed 22 civilian coffee pickers.

This is now the favored tactic employed by Mr. Casey's thousands of guerrillas in their war against the Sandinistas. In an effort to cripple Nicaragua's economy further, they attack coffee farms and trucks carrying humble coffee pickers. They hope thereby to cause an uprising that will topple the Sandinistas.

When leftist guerrillas employ such economic warfare to try to topple El Salvador's government, America condemns the immorality of the violence and can't send enough millions to crush the insurgents. Yet in Nicaragua the CIA's rightist guerrillas do the same thing, and Americans evidently are not supposed to object.

Americans — particularly those in Congress — must object. The United States is not at war with Nicaragua. Congress ordered Mr. Casey not to try to overthrow the Sandinista regime, yet his *contras* clearly are trying. Nicaragua alleges that 7,000 of its citizens have been killed fighting the *contras*. If true, that is a higher proportion of Nicaragua's population than America lost in Vietnam.

If Nicaraguan exiles mount a war, that's their business, but for America to underwrite it and train their guerrillas is immoral. Mr. Casey did that, a fact that the manual merely underscores. He must be restrained, and if he again breaks his leash, Congress should do all in its power to persuade the President to remove him.